



California Libertarian News

February 14-17

STATE CONVENTION: "BREAKTHROUGH '92"

Libertarians from throughout California will gather in Irvine on Presidents Day Weekend for the 20th annual State Convention of the Libertarian Party of California. This year's theme is "Breakthrough '92," a fitting thought due to the party's recent growth and future prospects.

The convention will open with a blast Friday, February 14 with a blues session featuring Orange County's premier blues band, **Luke and the Locomotives**. Rumors to the effect that Libertarians have hearts and souls made of silicon will surely be dispelled the moment the bass guitars kick in. The Saturday night banquet will feature **Dr. Nancy Lord**, the LP vice presidential nominee. Sunday night brings more top-notch entertainment with a hilarious Comedy Nite.

Convention business sessions will be held Saturday, Sunday, and Monday mornings. Debates are scheduled on the party's platform and by-laws, as well as election of officers. At meal events and afternoon business sessions we can look forward to hearing speakers at the forefront of freedom, including **Larry Dodge** from the Fully Informed Jury Association (FIJA), LP founder **David Nolan**, **Dr. Stephen**



Dr. Nancy Lord—Banquet Speaker



Pat Wright



Kim Goldsworthy
Candidates for State Chair

Guffanti from the Choice in Education Initiative, and **Alan Bock**, senior columnist for the *Orange County Register*. Panels will include "The Drug War vs. The Second Amendment," featuring representatives of the NRA and ACLU, and "What Happens Once You're Elected," featuring Libertarian officeholders. There will also be a special candidates conference for the party's standard-bearers, our candidates for 1992 legislative and congressional seats.

All events will take place at the Radisson Plaza Hotel, 18800 MacArthur Blvd. in Irvine, adjacent to the Orange County Airport and next to the San Diego (405) freeway. For room reservations, call (714) 833-9999. Be sure to mention the Libertarian Party convention to get the special discount room rate of \$70 per night.

To reserve for the convention itself, the full package registration costs \$299. This includes admission to all events (including meals, banquet, Comedy Nite, etc.). Individual events may be purchased at the door. Send your registration form to LC-92, P. O. Box 8324, Newport Beach, CA 92660. See you there!

CAMPAIGN '92 UPDATE

As we go to press, Libertarian candidates have volunteered to run for about 100 of the 154 open state and national seats in California (2 U. S. Senate, 52 U. S. House, 20 state senate and 80 state assembly). Our record is 100 candidates in 1980, our first year on the ballot. We should be able to break this record in 1992. Enthusiasm is high, and prospects for good quality candidates are greater than ever.

By the time you get this newsletter, the California Supreme Court should have approved the new district boundaries. These districts will be much more competitive between Democrats and Republicans than before, so there should be some hot races with more attention paid to Libertarian candidates, who may be potential "spoilers".

In fact, three Republicans have already asked us not to run candidates in their districts, for fear we will siphon off votes and help elect Democrats. The idea of backing out is questionable for Libertarians, since Republican candidates seldom seem superior to Democratic ones. This strategy also assumes we draw most

of our votes from Republicans, which has yet to be proven. Our plan is to contest as many districts as we can field candidates in, with no concessions given to the state's political establishment.

We need more good candidates! If you are interested in running, you need to be a registered Libertarian and not have registered in another party within the last year. If you have been registered "decline-to-state," you need to have been registered Libertarian since November 1991. To get on the ballot, state assembly candidates need 25 signatures and U. S. House candidates need 28 signatures of registered Libertarians collected between February 10 and 25, plus 15 and 12 more respectively by March 6. State senate candidates need to collect 49 signatures between February 10 and 25. Lists of LP registrants will be provided by the party.

If you are interested in running, call Campaign '92 director **Ted Brown** at (818) 568-8404 or your county chair (see page 7). Volunteers for helping candidates collect signatures are also most welcome. The April issue of *CL News* will list all LP candidates.



FROM THE CHAIR

Pat Wright

I once read that Americans commit an average of five misdemeanor crimes a day without getting caught. I believe the people reading this newsletter are a cut above average. It is with this thought that I dedicate this month's chair's report to the issue of legalization of the domestic ferret.

At the risk of reinforcing my image as a "ferret crank," I would like to ask your help in starting a letter campaign, *a la* Amnesty International, to legalize the critters here in California.

California has a new director of its Department of Fish and Game, a bureaucracy with the authority to legalize or ban any animal. Your poodle could be the next animal to be classified as "wild"—and thus be banned in the state. This may be a minor infringement of our personal liberty, but to the ferret fanciers among us it is truly offensive.

Ferrets are weasel-like animals about the size of a ground squirrel. The ancient Egyptians are thought to have first bred ferrets by crossing the European polecat and weasel. Their main attraction as pets is their playful personality, which they maintain throughout their lives. They also require less space and expense than a dog or cat, making them great apartment pets.

Why does the state Department of Fish and Game have such a problem with ferrets? Mainly because the creatures were mistakenly listed as "wild" animals in a 1935 report to the agency. This is a prime example of how difficult it is to undo a bureaucratic snafu. The main reasons listed for maintaining the ban, and my response to them, are:

#1. Ferrets are vicious. True, ferrets tend to nip more than dogs and cats (except maybe *my* cat), but ferrets don't have the teeth dogs and cats do. Of reported animal bites that require medical treatment in states where ferrets are legal, ferrets are statistically less likely to inflict damage with a bite. In fact, only the guinea pig is a safer pet in this respect.



"Chester" Wright

#2. Ferrets will get out in the wild, establish feral populations and threaten native species. Ferrets were introduced to North America 300 years ago. No feral ferret population can be documented. The California Domestic Ferret Association has letters from 50 state departments of agriculture and 49 state departments of wildlife all saying that no feral ferret population is known to exist in their respective states.

#3. Ferrets spread rabies. There have been about ten cases of ferret rabies reported in the last 200 years. A ferret vaccine has been in use for many years, and has recently been approved by the FDA.

It is unbelievable the lengths Fish and Game has gone to in maintaining the ban. They have made up stories of feral ferrets attacking native species in other states, but all reports have been disproved.

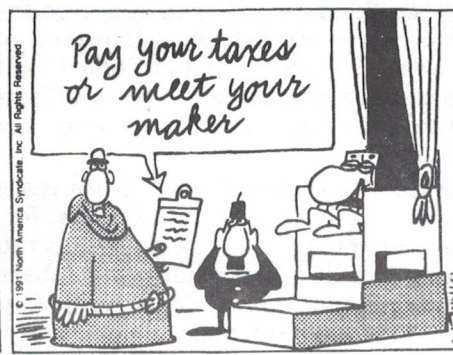
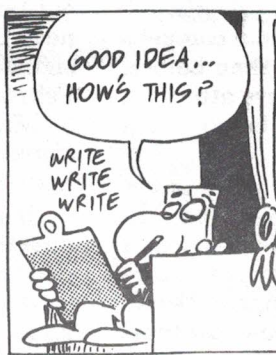
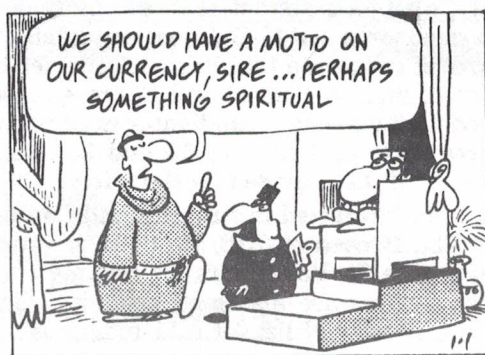
I have tried to work on this issue through my assemblyman, Mike Gotch (D-San Diego), but he wouldn't even give me an appointment. I have tried to get through to the new director of Fish and Game, but he hasn't responded to any phone calls or faxes. (Gee, public servants who don't return messages? How unusual!)

There are thought to be, by Fish and Game's own estimate, 500,000 illegal ferrets in California. We are one of three states to maintain a ban. I'm tired of being unable to take my ferrets out, not going to ferret shows in California, or worrying about my ferrets being seized and destroyed while they're at the vet.

I'm asking you to write to the new director and urge him to legalize ferrets in California. His name is Boyd H. Gibbons, Dept. of Fish and Game, 1416 9th St., Sacramento, CA 95814, phone (916) 653-7664, FAX (916) 653-1856. If letter campaigns can work to free political prisoners, I hope it can work to legalize ferrets. I will ask the LPC's state executive committee to endorse the letter writing campaign and send out a press release.

If you would like more information on the ferret issue, contact the California Domestic Ferret Association, P. O. Box 1868, Healdsburg, CA 95448, phone (707) 431-2277, or the Southern California Ferret Association, 12134 4th St., Yucaipa, CA 92399, phone (714) 797-5720.

THE WIZARD OF ID By Brant Parker and Johnny Hart





BIG SISTER (AND THE DMV) WANT YOUR SOCIAL SECURITY NUMBER

Hidden in the lengthy list of new laws passed by the California State Legislature is SB 395, effective 1/1/92, which requires you to give your social security number to obtain or renew your driver's license or register your car. The ostensible purpose of this law is to help district attorneys track parents who are behind in their child support. Delinquent daddies allegedly cost taxpayers \$2 billion per year in extra welfare/AFDC costs. Amazingly, supporters of the law admit that only \$30 million would be recouped by getting the SSN of every driver in the state.

George Orwell wrote about "Big Brother" in 1984. Californians now have "Big Sister," State Senator Rebecca Morgan (R-Los Altos Hills), who authored this intrusive piece of legislation. It passed the Assembly 78-0 and the Senate 26-9. The vote was taken in "executive session," which means there was no debate. It was co-sponsored by police organizations, which lends credence to it being a "police state" law.

According to a DMV pamphlet, a license will not be issued or renewed without a social security number being given. The number must be verified by a social security card, W-2 form, payroll stub or letter from the Social Security Administration. The same pamphlet states that the number is considered confidential "unless release is authorized by statute or regulation ... The department is ... mandated to release the SSN to several state agencies specified in legislation," (emphasis mine).



A Public Service Agency

The social security number was never designed to be used for identification. Cards issued before 1970 even state this on the front. In fact, Title V of the U. S. Code, section 552(a) states that a right of privacy is a personal right, including the disclosure of personal information. The law states that it is unlawful to deny a person a right, benefit or privilege he is otherwise entitled to because of his refusal to disclose his social security account number. This includes government agencies. Anyone who is denied their rights can file suit and win a minimum of \$1,000 plus attorney's fees. This law was upheld by a federal district court in Delaware in 1981: *CMA vs. Local 743 D.C.*

The California law clearly violates federal law and probably would fall to a legal challenge. The requirement could be challenged administratively through the DMV if it refuses to issue a license or registration. After that the matter can get to court, although the cost of a challenge may be daunting. Libertarians can stand up now, refuse to provide their social security numbers and accept the consequences, which would be denial of a driver's license, if they choose.

In the meantime, please write to Senator Morgan and to your state legislators at State Capitol, Sacramento, CA 95814 and urge them to repeal SB 395. We of all political activists must fight erosions of our right to privacy.

NEW LAWS HARASS OUR PEOPLE, EAT OUT THEIR SUBSTANCE

In 1991 California state legislators introduced 3,521 bills and sent 1,504 of them to Gov. Pete Wilson. The governor signed or acquiesced to 1,245 of them, vetoing 259. Most of the 1,245 went into effect January 1.

The new law with the most publicity is the mandatory motorcycle helmet law (AB 7), which was vehemently opposed by bikers (of which there are 842,000 in California) and by Libertarians. The main villains are Assemblyman Richard Floyd (D-Carson), who has fought for this law for years and Gov. Pete Wilson, who signed the law. Former governor George Deukmejian had vetoed the same bill at least twice before. There is now a \$100 fine for the first offense of not wearing a helmet, with increasing penalties for subsequent violations.

Other contemptible laws include:

- Prospective handgun buyers will be required to take a two-to four-hour state-approved gun safety course before they can acquire a weapon.
- Juvenile court judges can suspend or delay for one year the driving privileges of a minor who is found to be a habitual truant.
- A new level of bureaucracy, the San Joaquin Valley Air Quality District, has been created, encompassing Kern, Fresno, Tulare, Madera, Merced, Kings, San Joaquin and Stanislaus Counties.

- Tobacco companies are prohibited from handing out free samples of cigarettes in public places such as street corners.
- A \$20 million "healthy start" program is implemented to coordinate services for children, including mental health, nutrition, dental services, prenatal care, immunization and parenting education courses.
- Doctors' prescriptions for all tranquilizers and sedatives, including Valium, Xanax and Halcion, are limited to a 120-day supply.
- Possession of a loaded firearm in conjunction with any amount of illegal substances—instead of only amounts of drugs and narcotics—becomes a felony calling for increased penalties.
- Los Angeles County is permitted to continue to fund anti-drug and anti-gang prevention programs with money obtained from the sale of automobiles, boats and homes seized from illicit drug dealers.
- Employees of businesses with more than fifty workers can take up to four months unpaid leave to care for newborn or sick children or sick parents or spouses without the fear of losing their jobs.
- Penalties are increased for employers who fail to carry workers' compensation insurance, and proof of such insurance is required when applying for a state business license.

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LETTERS TO THE EDITOR

California Libertarian News is the official newsletter of the Libertarian Party of California. Opinions and articles contained within do not necessarily represent official party positions unless so indicated. Please send articles, local news, photos, letters, and advertising copy to the editor: **Ted Brown**, 125 N. Allen Ave. #107, Pasadena, CA 91106 (818) 568-8404

LP Should Oppose Immigration

Editor:

Our party's position on immigration is wrong. In the December *CL News* there was a statement that we should "allow anyone into the U.S. who wants to come." That position is anarchist rather than libertarian. Libertarianism is a simple, carefully reasoned, internally consistent political philosophy where government performs only those essential, traditional functions individuals or private firms cannot, and government should perform them without infringing basic individual rights.

Keeping undesirables out of the country is a legitimate function of government. It is necessary and it can only be done collectively.

An immigration policy is necessary to prevent a stampede of desperate foreigners from negating the hard-won gains we have made in creating a prosperous, just, united, uncrowded, and relatively unpolluted country. This isn't xenophobia, merely justice and practicality. Eliminating our social welfare net would take away only one minor magnet attracting these hordes.

People have absolutely no right to enter a country without that country's permission. Do you have a right to walk into my home uninvited? Do I have a right to join the Elks Club even if they don't want me? Do foreign tanks have a right to roll across our borders? No. People do have a right to create private homes and clubs and sovereign nations, and then to politely announce: "Hear ye all, this is our little space, please stay out unless you're invited, thank you so much." I hold this truth to be self-evident, that Washington may and should have a restrictive immigration policy.

Frank J. Groffie
San Jose, CA

(The editor responds: I assume Mr. Groffie's ancestors immigrated here from Europe, as did mine. That doesn't give him the right to tell other people they can't come here. The most patriotic song I ever heard was Neil Diamond singing "Everywhere around the world, they're coming to America. Every time that flag's unfurled, they're coming to America.")

People want to live here because of the freedoms we enjoy and our abundant prosperity. If the Libertarian Party platform were implemented in full, the freedoms and abundance would be greater than ever in human history. People vote with their feet. If their governments are oppressing them either economically or politically, where better to come than the U.S., the greatest melting pot of all? Immigrants contribute to our society and economy; they don't detract from it.

The Statue of Liberty is the symbol of the Libertarian Party. Every time I read the poem inscribed on its base, I get goose bumps. For me, this is what America is all about:

The New Colossus by Emma Lazarus
*Not like the brazen giant of Greek fame,
With conquering limbs astride from land to land;
Here at our sea-washed, sunset gates shall stand
A mighty woman with a torch, whose flame
Is the imprisoned lightning, and her name
Mother of Exiles. From her beacon-hand
Glows world-wide welcome; her mild eyes command
The air-bridged harbor that twin cities frame.
"Keep, ancient lands, your storied pomp!" cries she
With silent lips. "Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shore.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!"*

DEA Storm Troopers on the March

Editor:

I would like to relate a frightening experience that demonstrates the erosion of our freedoms, thanks to the "War on Drugs."

My fiancé and I were riding Amtrak between California and the Midwest during the Thanksgiving holidays. Train travel is a truly unique experience in that it gives one a cross-section of the breadth and diversity of our country's landscape and people. The trip was really making me feel proud to be an American, until the following occurred:

In the dining car we had met a friendly, well-dressed woman who was making her first train trip. She was excited about visiting a friend she had not seen in two years. The next morning we ran into her again, and she looked like she had just been raped or mugged. She told us two men claiming to be federal drug enforcement agents had entered her sleeping compartment, asked if she was travelling alone, demanded her name, address and social security number, and searched all her belongings and luggage. The men had no warrant. The woman had done nothing wrong.

The Amtrak steward said federal agents board the trains quite frequently and conduct searches of passengers selected at random. We witnessed one other search and heard of two more on the trains, all within one week.

Random searches—no warrants, no probable cause. Just like Nazi Germany. It's frightening. It's un-American. It's happening!

David L. Thomas
San Jose, CA

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INITIATIVE MEASURE TO BE SUBMITTED DIRECTLY TO THE VOTERS

The Attorney General of California has prepared the following official title and summary of the chief purpose and points of the proposed measure:

EDUCATION. PARENTAL CHOICE. SCHOLARSHIPS. INITIATIVE CONSTITUTIONAL AMENDMENT. Amends California Constitution to empower parents to choose a child's school. Requires State to provide a scholarship for every school-age child equal to at least 50 percent of prior fiscal year per pupil State and local government spending for K-12 education. Scholarship may be redeemed by public or private schools, under specified conditions. Requires Legislature to establish procedures whereby public school may become an independent scholarship-redeeming school. Authorizes required academic testing. Limits new regulation of private and scholarship-redeeming public schools. Scholarship expenditures and specified savings count toward education's existing constitutional minimum funding guarantee. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure's fiscal effects are largely unknown. It would have two primary effects. The provisions related to scholarships, open enrollment, and testing could result in State costs or savings, potentially in excess of \$1 billion. School districts could incur costs due to the open enrollment and testing provisions potentially in excess of tens of millions of dollars.

NOTICE TO THE PUBLIC

THIS PETITION MAY BE CIRCULATED BY A PAID SIGNATURE GATHERER OR A VOLUNTEER. YOU HAVE THE RIGHT TO ASK.

All signers of this petition must be registered in _____ County

This column for
official use only

New Registration	Print Your Name Signature as Registered	Residence Address City Zip	
New Registration	Print Your Name Signature as Registered	Residence Address City Zip	
New Registration	Print Your Name Signature as Registered	Residence Address City Zip	
New Registration	Print Your Name Signature as Registered	Residence Address City Zip	
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SEND COMPLETED PETITION TO:
APC
11344 Coloma Road • Suite 370
Gold River, California 95670

(1) "Child" is an individual eligible to attend kindergarten or grades one through twelve in the public school system.
(2) A "parent" is any person having legal or effective custody of a child.
(3) A "qualified elector" is any person registered to vote, whether or not they vote in any particular election. The alternative requirement in Section 17(b)(4) of approval by a majority vote of qualified electors within the affected jurisdiction shall be imposed only to the extent permitted by this Constitution and the Constitution of the United States.
(4) The Legislature may establish reasonable standards for determining the "residency" of children.
(5) "Savings" resulting from the implementation of this Section "in each fiscal year shall be the total amount disbursed for scholarships during that fiscal year subtracted from the product of (A) the average enrollment in scholarship-redeeming schools during that fiscal year multiplied by (B) the average amount of State and local government spending per public school student for education in kindergarten and grades one through twelve, calculated on a statewide basis, during that fiscal year.
(6) A "scholarship-redeeming school" is any school, public or private, located within California, which meets the requirements of this Section. No school shall be compelled to become a scholarship-redeeming school.
(7) State and local government spending" in Section 17(a)(1) includes, but is not limited to, spending funded from all revenue sources, including the General Fund, federal funds, local property taxes, lottery funds, and local miscellaneous income such as developer fees, but excluding bond proceeds and charitable donations. Notwithstanding the inclusion of federal funds in the calculation of "state and local government spending," federal funds shall constitute no part of any scholarship provided under this Section.
(8) A "student" is a child attending school.
(9) The Legislature shall implement this Section through legislation consistent with the purposes and provisions of this Section.
(10) Limitation of actions. Any action or proceeding contesting the validity of (1) this Section, (2) any provision of this Section, or (3) the adoption of this Section, shall be commenced within six months from the date of the election at which this Section is approved; otherwise this Section and all of its provisions shall be held valid, legal, and uncontestable. However, this limitation shall not of itself preclude an action or proceeding to challenge the application of this Section or any of its provisions to a particular person or circumstance.
(11) Severability. If any provision of this Section or the application thereof to any person or circumstance is held invalid, the remaining provisions or applications shall remain in force. To this end, the provisions of this Section are severable.

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The Attorney General of California has prepared the following official title and summary of the chief purpose and points of the proposed measure:

EDUCATION. PARENTAL CHOICE. SCHOLARSHIPS. INITIATIVE CONSTITUTIONAL AMENDMENT. Amends California Constitution to empower parents to choose a child's school. Requires State to provide a scholarship for every school-age child equal to at least 50 percent of prior fiscal year per pupil State and local government spending for K-12 education. Scholarship may be redeemed by public or private schools, under specified conditions. Requires Legislature to establish procedures whereby public school may become an independent scholarship-redeeming school. Authorizes required academic testing. Limits new regulation of private and scholarship-redeeming public schools. Scholarship expenditures and specified savings count toward education's existing constitutional minimum funding guarantee. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local governments: The measure's fiscal effects are largely unknown. It would have two primary effects. The provisions related to scholarships, open enrollment, and testing could result in State costs or savings, potentially in excess of \$1 billion. School districts could incur costs due to the open enrollment and testing provisions potentially in excess of tens of millions of dollars.

To the Honorable Secretary of State of California:

We, the undersigned, registered, qualified voters of California, residents of _____ County (or City, and County), hereby propose amendments to the Constitution of California, relating to education and parental choice and petition the Secretary of State to submit the same to the voters of California for their adoption or rejection at the next succeeding general election or at any special statewide election held prior to that general election or otherwise provided by law. The proposed constitutional amendments read as follows:

PARENTAL CHOICE IN EDUCATION INITIATIVE

The following Section, the "Parental Choice in Education Amendment," is hereby added to Article IX of the California Constitution:

Section 17. Purpose. The people of California, desiring to improve the quality of education available to all children, adopt this Section to: (1) enable parents to determine which schools best meet their children's needs; (2) empower parents to send their children to such schools; (3) establish academic accountability based on national standards; (4) reduce bureaucracy so that more educational dollars reach the classroom; (5) provide greater opportunities for teachers; and (6) mobilize the private sector to help accommodate our burgeoning school-age population.

Therefore: All parents are hereby empowered to choose any school, public or private, for the education of their children, as provided in this Section.

(a) **Empowerment of Parents; Granting of Scholarships.** The State shall annually provide a scholarship to every resident school-age child. Scholarships may be redeemed by the child's parent at any scholarship-redeeming school.

(1) The scholarship value for each child shall be at least fifty percent of the average amount of State and local government spending per public school student for education in kindergarten and grades one through twelve during the preceding fiscal year, calculated on a statewide basis, including every cost to the State, school districts, and county offices of education of maintaining kindergarten and elementary and secondary education, but excluding expenditures on scholarships granted pursuant to this Section and excluding any unfunded pension liability associated with the public school system.

(2) Scholarship value shall be equal for every child in any given grade. In case of student transfer, the scholarship shall be prorated. The Legislature may award supplemental funds for reasonable transportation needs for low-income children and special needs attributable to physical impairment or learning disability. Nothing in this Section shall prevent the use in any school of supplemental assistance from any source, public or private.

(3) If the scholarship amount exceeds the charges imposed by a scholarship-redeeming school for any year in which the student is in attendance, the surplus shall become a credit held in trust by the state for the student for later application toward charges at any scholarship-redeeming school or any institution of higher education in California, public or private, which meets the requirements imposed on scholarship-redeeming schools in Section 17 (b) (1) and (3). Any surplus remaining on the student's twenty-sixth birthday shall revert to the state treasury.

(4) Scholarships provided hereunder are grants of aid to children through their parents and not to the schools in which the children are enrolled. Such scholarships shall not constitute taxable income. The parent shall be free to choose any scholarship-redeeming school, and such selection shall not constitute a decision or act of the State or any of its subdivisions. No other provision of this Constitution shall prevent the implementation of this Section.

(5) Children enrolled in private schools on October 1, 1991, shall receive scholarships, if otherwise eligible, beginning with the 1995-96 fiscal year. All other children shall receive scholarships beginning with the 1993-94 fiscal year.

(6) The State Board of Education may require each public school and each scholarship-redeeming school to choose and administer tests reflecting national standards for the purpose of measuring individual academic improvement. Such tests shall be designed and scored by independent parties. Each school's composite results for each grade level shall be released to the public. Individual results shall be released only to the school and the child's parent.

(7) Governing boards of school districts shall establish a mechanism consistent with federal law to allocate enrollment capacity based primarily on parental choice. Any public school which chooses not to redeem scholarships shall, after district enrollment assignments based primarily on parental choice are complete, open its remaining enrollment capacity to children regardless of residence. For fiscal purposes, children shall be deemed residents of the school district in which they are enrolled.

(8) No child shall receive any scholarship under this Section or any credit under Section 17(a)(3) for any fiscal year in which the child enrolls in a non-scholarship-redeeming school, unless the Legislature provides otherwise.

(b) **Empowerment of Schools; Redemption of Scholarships.** A private school may become a scholarship-redeeming school by filing with the State Board of Education a statement indicating satisfaction of the legal requirements which applied to private schools on October 1, 1991, and the requirements of this Section.

(1) No school which discriminates on the basis of race, ethnicity, color, or national origin may redeem scholarships.

(2) To the extent permitted by this Constitution and the Constitution of the United States, the State shall prevent from redeeming scholarships any school which advocates unlawful behavior; teaches hatred of any person or group on the basis of race, ethnicity, color, national origin, religion, or gender; or deliberately provides false or misleading information respecting the school.

(3) No school with fewer than 25 students may redeem scholarships, unless the Legislature provides otherwise.

(4) Private schools, regardless of size, shall be accorded maximum flexibility to educate their students and shall be free from unnecessary, burdensome, or onerous regulation. No regulation of private schools, scholarship-redeeming or not, beyond that required by this Section and that which applied to private schools on October 1, 1991, shall be issued or enacted, unless approved by a three-fourths vote of the Legislature or, alternatively, as to any regulation pertaining to health, safety, or land use imposed by any county, city, district, or other subdivision of the State, a two-thirds vote of the governmental body issuing or enacting the regulation and a majority vote of qualified electors within the affected jurisdiction. In any legal proceeding challenging such a regulation as inconsistent with this Section, the governmental body issuing or enacting it shall have the burden of establishing that the regulation: (A) is essential to assure the health, safety, or education of students, or, as to any land use regulation, that the governmental body has a compelling interest in issuing or enacting it; (B) does not unduly burden or impede private schools or the parents of students therein; and (C) will not harass, injure, or suppress private schools.

(5) Notwithstanding Section 17(b)(4), the Legislature may (A) enact civil and criminal penalties for schools and persons who engage in fraudulent conduct in connection with the solicitation of students or the redemption of scholarships, and (B) restrict or prohibit individuals convicted of (i) any felony, (ii) any offense involving lewd or lascivious conduct, or (iii) any offense involving molestation or other abuse of a child, from owning, contracting with, or being employed by any school, public or private.

(6) Any school, public or private, may establish a code of conduct and discipline and enforce it with sanctions, including dismissal. A student who is deriving no substantial academic benefit or is responsible for serious or habitual misconduct related to the school may be dismissed.

(7) After the parent designates the enrolling school, the State shall disburse the student's scholarship funds, excepting funds held in trust pursuant to Section 17(a)(3), in equal amounts monthly, directly to the school for credit to the parent's account. Monthly disbursements shall occur within 30 days of receipt of the school's statement of current enrollment.

(8) Expenditures for scholarships issued under this Section and savings resulting from the implementation of this Section shall count toward the minimum funding requirements for education established by Sections 8 and 8.5 of Article XVI. Students enrolled in scholarship-redeeming schools shall not be counted toward enrollment in public schools and community colleges for purposes of Sections 8 and 8.5 of Article XVI.

(c) **Empowerment of Teachers; Conversion of Schools.** Within one year after the people adopt this Section, the Legislature shall establish an expeditious process by which public schools may become independent scholarship-redeeming schools. Such schools shall be common schools under this Article, and Section 6 of this Article shall not limit their formation.

(1) Except as otherwise required by this Constitution and the Constitution of the United States, such schools shall operate under laws and regulations no more restrictive than those applicable to private schools under Section 17(b).

(2) Employees of such schools shall be permitted to continue and transfer their pension and health care programs on the same terms as other similarly situated participants employed by their school district so long as they remain in the employ of any such school.

(d) **Definitions.**

(1) "Schools" includes public and private schools, academies, and other educational institutions.



CHARGES AGAINST HAWKS DROPPED

On January 13 a Butte County judge dismissed jury tampering charges against Libertarian **Dixianne Hawks**. Hawks was arrested for distributing fully informed jury leaflets at the county courthouse in Oroville. The leaflets told jurors they have the right to decide the law as well as the facts of a case, information judges nearly always keep from jurors.

Upon the charges being dropped, District Attorney Michael Ramsey issued a statement that he didn't want to give FIJA supporters a soapbox, and Hawks' trial would just be a political forum where justice would not be served. In Ramsey's opinion, allowing jurors to acquit a defendant because they disagree with the law is "not only wrong, but dangerous to an orderly and free society." Butte County LP chair **Jessica Strock** said in response that the orderly society Ramsey envisioned was behind the fence of a concentration camp.

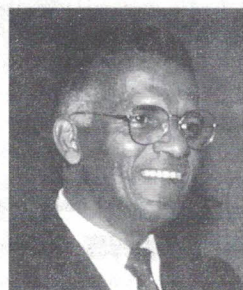
The fight for fully informed juries continues. **John Wolfgram**, a Libertarian attorney from Placerville who advised Hawks during her legal travails, is now taking up the FIJA banner and is prepared to go to jail to present this information to jurors in his clients' trials. Judges frequently hold defense attorneys in contempt of court if they attempt to educate jurors.

continued from page 3
and a silly law ...

- The chipped stone bear, a prehistoric carved animal recovered in 1935 from an archaeological dig north of San Diego, was voted the official state prehistoric artifact! Instead, they should have selected State Senator Alfred Alquist (D-Santa Clara), 83, a 30-year veteran of the Legislature, or Senator Ralph Dills (D-Gardena), 82, first elected to office in 1938, or Senator Leroy Greene (D-Sacramento), 74, another 30-year veteran.

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RIDER RUNNING FOR SAN DIEGO SUPERVISOR



Libertarian **Richard "Dick" Rider** has announced he will run for San Diego County Supervisor. The non-partisan election is June 2, but there will be a runoff November 3 if no candidate receives 50% of the vote. This is an open race in the 3rd District, which includes northern San Diego City and County. Two San Diego city

councilwomen, both Republicans, are considered the front runners by the local media.

Rider, a former San Diego County LP chair, gained notoriety last month as the main plaintiff in a successful lawsuit challenging a half-cent sales tax increase in San Diego County. The California Supreme Court agreed with the Libertarians that under Prop. 13, a two-thirds vote was required. (The measure had won only 50.6% of the vote). The resulting news coverage in the San Diego media has given good publicity to Rider and the LP.

San Diego officials are still fighting the inevitable. The judgment wasn't final until January 21, so they kept collecting the tax, a whopping \$300,000 extra per day into county coffers. Altogether they have collected \$350 million illegally, and amends will have to be made to the taxpayers.

Rider is lining up support from property owners, apartment owners, gun owners, taxpayer groups and some wealthy Republicans in the area. His campaign manager is Fred Schnaubelt, a former San Diego City Councilman. Jack Orr, a well-known local political consultant, is also working on Dick's race. Your contributions are welcome, but are limited to \$250 per person due to a county ordinance. Send them to Rider for Supervisor, 3161 Fryden Ct., San Diego, CA 92117, or call (619) 276-1776 to volunteer.

PETERSEN SEEKS COUNCIL SEAT

Jon Petersen, chairman of the Santa Clara LP, is running for the Morgan Hill City Council in a March 17 special election. Voters in this city of 25,000 recalled three of five council members on December 17. This was after the council imposed a utility tax in violation of a city ballot measure that required the public to vote on new taxes. Petersen was active in the Morgan Hill's recall group, dubbed "CAUGHT Again." His main campaign plank is to balance the city budget without a utility tax.

This looks like a winnable campaign, similar to the **Sandi Webb** campaign in Simi Valley in 1990. Contributions are welcome. Send your check to Jon Petersen for Council, 16972 Leslie Ct., Morgan Hill, CA 95037. For information, call (408) 778-1802.



LIBERTARIAN NOTES

- On February 11 the 9th Circuit Court of Appeals in San Francisco will hear the Libertarian Party's appeal in *Lightfoot vs. Eu*. This is the case where the LP seeks to nominate candidates by convention if no candidate files in our primary. The LP is represented by Arlo Hale Smith, a ballot law attorney and son of the 1990 Democratic candidate for Attorney General. For time and location of the hearing, contact **Richard Winger** at (415) 922-9779.
- **Allen Lopp** of Cerritos seeks to organize gay and lesbian Libertarians throughout California to present an alternative to left-wing gay groups such as ACT-UP and Queer Nation. He is tired of gay and lesbian leaders who seek to force agreements from private employers by law. There is a group known as Libertarians for Gay and Lesbian Concerns (LGLC) based in Ann Arbor, Michigan, but there is currently no such group in California. For more information about getting involved locally, contact LGLC, c/o Allen J. Lopp, P. O. Box 3691, Cerritos, CA 90703-3691, phone (310) 926-5470, Compuserve 73750,670.

UPCOMING EVENTS

- **Libertarian Hike:** Saturday, February 8, 10:30 a.m. starting at Juniper Campground in Mt. Diablo State Park near Walnut Creek (Contra Costa County). Exit I-680 at Ygnacio Valley Rd. Call for directions. This is a five mile loop to the at (510) 937-8380. For hikes in the North Bay, contact **Lloyd Licher** at (415) 472-3294. In the South Bay, contact **Dave Wolen** at (408) 378-3041.
- The Libertarian Party of Los Angeles County will host a brunch Sunday, March 22, on "The Dangers of Filing an Income Tax Return." Speakers will be **Bro. Jim Lorenz**, San Diego LP Chair, who hasn't filed a tax return in almost twenty years; and **Steve Hempfling**, director of the Free Enterprise Society, which since 1979 has defended people charged with failure to file state and federal tax returns. Location: Les Freres Taix Restaurant, 1911 Sunset Blvd., in Los Angeles (west of downtown, near Alvarado). Time: 11 a.m. for brunch, 12 noon for program. Cost for brunch and program is \$20 (before March 16), \$24 (before March 20), or \$28 at the door. Cost for program only is \$7, \$10, or \$12 (see dates above). Send your checks to LPLAC, P. O. Box 547, Reseda, CA 91337. For last-minute reservations or information, call **Michael Everling** at (213) 487-5199.

NEWS BRIEFS

- California now has a sixth political party. The Green Party qualified for the ballot by registering 88,000 voters (79,188 were needed by 12/31/91). The last party to have so qualified was the Libertarian Party on 12/31/79. The Greens were greatly helped by a Santa Barbara environmentalist who donated \$20,000 in late November. The money was used to hire workers who were paid \$2 for each Green they registered. Reports are that the new party will contest only a few California races in 1992.
- On January 6, U. S. Rep. Jamie Whitten (D-Mississippi) became the longest-ever serving member of the House of Representatives. The powerful 81-year-old chairman of the House Appropriations Committee was first elected November 4, 1941, a month before the bombing of Pearl Harbor. Whitten will have to serve another six years to break the all-time record of Senator Carl Hayden (D-Arizona), who served in the House and Senate for a total of almost 57 years (1912-69).
- Imelda Marcos will run for president of the Philippines after pleading innocent to graft charges in that country. The widow of the late President Ferdinand Marcos, known for her extravagant lifestyle and Carl Saganesque collection of "billions and billions" of shoes, called her decision to run in the May 11 election the result of "months of direct consultations with our poor and oppressed citizens."
- Defeated San Francisco Mayor and former Assemblyman Art Agnos wasn't out of a job long, despite the lingering recession. The day he left City Hall, Assembly Speaker Willie Brown appointed him to a \$92,460-a-year post with the California Unemployment Appeals Board. "I utilize every member of this house with talent or ex-member of this house with talent whenever I can in whatever capacity I can," Brown said. The Speaker said the board seat was "kind of a transition spot" for Agnos.

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(figure in parentheses is dues-paid membership)

Alameda/Contra Costa/Solano (192)	Wayne Nygren	(510) 889-9216
Butte (17)	Jessica Strock	(916) 893-3836
Calaveras (6)	Tom Tryon	(209) 736-4845
El Dorado/Alpine (19)	Richard Akin	(916) 622-4785
Fresno (20)	Jaak Sanders	(209) 485-0489
Humboldt (10)	Brian Knotts	(707) 444-8028
Imperial (2)	Larry Vavra	(619) 344-9450
Inyo/Mono (3)	William Baucum	(619) 878-2288
Kern (31)	Mike Hodges	(805) 397-6453
Lake/Mendocino (16)	Randy Grindle	(707) 994-4817
Los Angeles:		
61 San Fernando Valley (195)	Bernard Zimring	(818) 785-0384
62 Westside (193)	Andy Rotter	(310) 207-4080
63 Foothills (83)	Kim Goldsworthy	(818) 280-5644
64 Central L. A. (92)	Michael Everling	(213) 487-5199
65 Downey (49)	Jean Taborsky	(310) 920-2558
66 South Bay (134)	Cullene Lang	(310) 595-6266
97 East San Gabriel (36)	Gail Lightfoot	(714) 623-1117
Marin (37)	Gene Lambacher	(415) 453-5425
Monterey (17)	Robert Ratto	(408) 424-9346
Napa (13)	Bill Crain	(707) 224-5535
Nevada (8)	Gary Dusseljee	(916) 478-1776
Orange (243)	Brian Schar	(714) 840-6833
South County	Jim Rushing	(714) 494-6266
Placer (15)	Bruce Daniel	(916) 652-9789
Riverside (67)	Ron Holman	(714) 684-5218
Sacramento/Yolo (114)	vacant	(800) 637-1776
San Benito	Steven Gordon	(408) 636-1296
San Bernardino (61)	Tom Cosgrove	(619) 868-4461
San Diego (514)	Marvin Simkin	(619) 276-1776
San Francisco (78)	John Whisman	(415) 921-6950
San Joaquin (15)	Debra DeZarn	(209) 957-0118
San Luis Obispo (23)	Howard Dilbeck	(805) 466-1998
San Mateo (77)	Christopher Inama	(415) 593-7639
Santa Barbara (53)	Michael Lamboley	(805) 964-9569
Santa Clara (321)	Jon Petersen	(408) 778-1802
Santa Cruz (78)	Bill Anderson	(408) 476-9753
Shasta (20)	Jim De Lang	(916) 241-1763
Siskiyou (5)	Gary Mortenson	(916) 468-5355
Sonoma (44)	Jim Oglesby	(707) 894-2658
Stanislaus (9)	Charlie Rose	(209) 575-3238
Tehama (6)	Ross Crain	(916) 527-2676
Tulare (16)	John Graham	(209) 757-3124
Ventura (51)	Aaron Starr	(805) 583-3308
Other Counties (13)		(800) 637-1776
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Libertarian Party of California

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INVASION OF THE CAR SNATCHERS

by Steven Pencall

Most of us are so accustomed to the daily dirty dealings of our elected tyrants that their most truly absurd and odious acts may escape our attention. One such outrage is misleadingly named the "Clunker Bill," S 2237 by U. S. Senator William Roth (R-Delaware).

This bill would ban all automobiles manufactured before 1980 from our highways. You read that right—ALL pre-1980 vehicles! This is all being done in the name of environmental protection, due to the pollution allegedly generated by these vehicles. With the collusion of the major auto manufacturers, vintage car owners would receive a \$2,000 payment for their vehicle. Of course, if you want to then buy a new car like the one you had, you will be out the difference in price. Sorry about that!

The bill is not only grossly unfair to poor people who can't afford new cars, but it trashes the investment of people whose older cars are worth much more than \$2,000. People who have spent thousands of dollars buying and restoring vintage cars, to say nothing of their own personal time and effort, will see their hard work go down the drain. This is a clear violation of the "takings" clause of the 5th Amendment.

Finally, this bill could commit automotive genocide—the end to living automobile history. No more could you or your kids drive, or see on a regular basis, the cars that you and your parents drove and admired. No more '49 Hudson Hornets, '57 Chevies, or '65 Mustangs. The only places you could see these and all the other car classics of the past would be in a museum, or in your own garage if you are wealthy enough to own a car you couldn't legally drive.

S 2237 is a monstrous bill, one every Libertarian should heartily oppose. Please write to Senators John Seymour and Alan Cranston and urge them to oppose this piece of enviro-fascism. The address is U. S. Senate, Washington, DC 20510.

LIBERTARIAN ADVISES SLOVAK GOVERNMENT

Tom Grey, former Santa Clara County LP activist and congressional candidate, is now living in Bratislava, Czechoslovakia, where he is Political and Economic Advisor to the Prime Minister of the Slovakian Republic. He has recently proposed that stocks in public enterprises be mass-distributed to the populace. This is similar to a program Poland adopted. Grey notes that nationalist agendas are blocking vital reforms that would speed economic recovery.

For those who want to hear Tom Grey speak about his experiences, mark your calendar for August 10-15, when the International Society for Individual Liberty (ISIL) will hold a world conference in Proprad, Czechoslovakia. For more information, contact ISIL at 1800 Market St., San Francisco, CA 94102, phone (415) 864-0952.

FEWER TAXPAYERS CHECK OFF \$1 FOR PRESIDENTIAL ELECTIONS

The taxpayer fund that bankrolls presidential elections is heading toward the red as campaign costs skyrocket and fewer people mark the \$1 checkoff box on their 1040 forms. The fund should barely cover the 1992 campaign, but by 1996, the shortfall may exceed \$100 million.

The percentage of taxpayers who check off a dollar of their taxes for the campaign fund has dwindled from 28.7% in 1980 to 19.9% in 1989, according to the Federal Election Commission (FEC). This translates to \$32.4 million collected in 1989 (a non-election year). In 1976 the fund distributed about \$69.4 million to presidential campaigns. This year the fund must come up with more than \$170 million, a difficult figure to meet with declining contributions.

"Americans have become increasingly alienated and cynical about politics," said Larry Sabato, a University of Virginia political scientist. "If you ask people whether, in addition to the large salaries they pay for their representatives and their large staffs, they want to also pay for their multi-million dollar campaigns, the answer is NO."

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